

# Notice of Allowability

Application No.

09/679,456

Examiner

Jean M. Corielus

Applicant(s)

RAGO, STEPHEN A.

Art Unit

2162

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on October 24, 2006.
2. ☒ The allowed claim(s) is/are 1-3, 6-9, 16-27 and 33-40 renumbered as claims 1-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

JEAN M. CORIELOUS  
PRIMARY EXAMINER

### **DETAILED ACTION**

1. This office action is in response to the amendment filed on October 24, 2006, in which claims 1-3, 6-9, 16-27 and 33-40 are presented for further examination.

#### ***Allowable Subject Matter***

2. The present application has been thoroughly reviewed. Upon searching a variety of databases and reviewing further Patent owner's arguments, the examiner respectfully submits that claims 1-3, 6-9, 16-27 and 33-40 are allowable in light of the examiner's amendment and in light of the prior art made of record.

#### ***Reasons for Indicating Allowable Subject Matter***

3. The following is an examiner's statement of reasons for allowance: The present invention is directed to system for that provides a way for computer applications to parse the operating system's file system format without embedding direct knowledge of the format in the applications themselves, by making a file system self-describing, applications running locally on the same computer, or remotely on another computer, can interpret file system data structures if they can access the disk containing the file system. The closest prior art, MEGERIAN, (US Patent no. 5,768,532) is directed to a similar system for creating a node group to define multiple computer systems for storing the file object by using a hash algorithm for application to data records is identified and providing a partition distribution map for distributing data to each computing system utilizing a set of predetermined hash algorithm results is identified in order to eliminates need for additional objects to be addressed, opened and paged into memory. More specifically, MEGERIAN either singularly or in combination, fail to anticipate or render

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obvious the recited claimed features “reading a formal description of the file system by said client from said disk storage device, wherein the formal description of the file system enables said client to find and interpret at least one data structure that includes file information that enables the client to directly read and write data to and from said disk storage, block allocation for the data being performed by the server, and wherein the formal description of the file system lacks a data structure that includes file information”. These features, in conjunction with all other limitations of the dependents and independent claim renders claims 1-3, 6-9, 16-27 and 33-40 are hereby allowed.

Since allowable subject matter has been indicated, applicant is encouraged to submit formal drawings in response to this Office action, if only if the formal drawings have not yet been submitted to the office. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

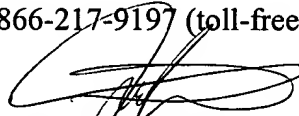
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***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jean M Corrielus  
Primary Examiner  
Art Unit 2162

October 30, 2006